



STATE OF DELAWARE

PUBLIC SERVICE COMMISSION

861 SILVER LAKE BLVD.
CANNON BUILDING, SUITE 100
DOVER, DELAWARE 19904
TELEPHONE: (302) 736-7500

July 9, 2019

Joe Colia
Park Power, LLC
1400 N. Providence Rd.
Suite 4025
Media, PA 19063

Re: In The Matter of the Park Power, LLC For A Certificate to Provide Electric Supply Services within the State Of Delaware (Submitted May 1, 2019) - PSC Docket No. 19-0291

Dear Mr. Colia,

The Delaware Public Service Commission ("Commission") is in receipt of the application (the "Application") submitted by Park Power, LLC ("Company") for certification to provide electric supply services in Delaware. Please note, a response to the deficiency letter issued May 15, 2019 has not been received. The Application remains incomplete as filed and additional information is necessary to complete the minimum filing requirements ("MFRs"), as indicated below:

Section 2.2.1

- Please provide a list of names under which the Applicant, its Affiliated Interest, or any current or previous officer, director, or manager has previously done business in Delaware.

Section 2.2.3 Authorization

- Please submit a Delaware business license.
 - Please include the permanent copy, not the temporary copy.

Section 2.2.5 Leadership

- Please include the business addresses for the Company's leadership.

Section 2.2.13 Marketing and Materials

- Please identify third party vendors that the Company intends to use.
- Please describe the processes related to oversight, training, and compliance that the Company will implement with its representatives.
- Please provide copies of all marketing materials to be used in Delaware.

Section 2.2.19-2.2.21 Retail Experience

- Please provide a description of the nature of business the Company intends to conduct in the state of Delaware.
- Provide professional résumés for Gary DeSanto and Joseph Colia complete with dates employed and duties performed for each position.
- Please provide the Commission Order for the Pennsylvania license.
- Please list the states in which the Company has received authority to sell/broker but it is not currently providing services.

Section 2.6 Public Notice

- Please publish the attached public notice in two newspapers having general circulation throughout the state of Delaware.

- Submit the affidavits of publication to the Commission.

Section 6.0, 7.0, 8.0 Contract and Contract Summaries

- Please identify whether the documents are for customers of the following classes: residential, small commercial, or both.
- The Company has not submitted an actual contract for review.
 - Please provide a sample contract that a customer would be required to sign in order to initiate service.
- Will the Company be offering a variable rate product?
 - If so, please provide a contract, contract summary, and terms and conditions for this product.
- On the Contract Summary, under the *Price Structure* section, please identify the monthly service fee and amount in the following format: Fixed price of ____ per kWh, plus monthly service fee of ____ for ____ months.
- On the Contract Summary, under the *Supply Price*, please add “hour” after kilowatt.
- On the Contract Summary, if there is not an Early Termination Fee, include a statement to this fact in that section.
- On the Contract Summary, under *Renewal Terms*, Please modify this section to read: At least forty-five (45) days prior to the end of the term, Park Power will send you a renewal notice describing the renewal options and terms. At the end of the Contract Term, if you have not cancelled the renewal of this agreement, selected another supplier, or opted to return to Standard Offer Service, this Agreement will automatically renew.
- On the Contract Summary, add a section for the full Right to Rescission policy.
- On the Terms and Conditions, in the Price section, please identify the monthly service fee.
- On the Terms and Conditions, in the Renewal section it states “If Park Power chooses to renew your Agreement...”
 - Identify how the determination is made to decide whether or not to offer renewals. If renewals are in fact not automatic, please remove that language from the contract summary and terms and conditions.
- On the Terms and Conditions, please add the full Right to Rescission policy.

Section 2.1.6 Verification of Application

- Please provide a signed, sworn statement of verification for each subsequent filing in this docket.

The Company may request that the Commission provide confidential treatment to some or all of the information contained in a document. When requesting confidential treatment for documents filed with the Commission, please simultaneously file a redacted, public version of the same document and an attestation that the information is not subject to inspection or disclosure to the public.

Staff respectfully requests a response to this notice of deficiency on or before August 9, 2019. Please note that 26 *Del. Admin. C.* § 3001 (the “Supplier Rules”) section 2.4 provides that incomplete applications will be closed four (4) months after the filing date. If the application is not completed within the four (4) month time frame the applicant forfeits their application filing fee and must resubmit the application with an additional filing fee. The responses and verifications can be uploaded as a subsequent filing in DelaFile under Docket No 19-0291.

Should you have any questions or if I can be of any assistance you may contact me at (302) 736-7539 or send questions by email to Clishona.Marshall@delaware.gov.

Sincerely,

Shona Marshall
Shona Marshall
Public Utility Analyst

Mr. Joe Colia
July 9, 2019
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CC: Ms. Donna Nickerson, Commission Secretary
Ms. Malika Davis, Regulatory Policy Administrator

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF PARK)
POWER, LLC FOR A CERTIFICATE TO PROVIDE)
ELECTRIC SUPPLY SERVICES WITHIN THE STATE) PSC DOCKET No. 19-0291
OF DELAWARE (SUBMITTED MAY 1, 2019))
)

PUBLIC NOTICE

TO: ALL PERSONS PURCHASING ELECTRICITY SUPPLY WITHIN THE STATE OF DELAWARE AND
OTHER INTERESTED PARTIES

Pursuant to 26 *Del. C.* §1012, Park Power, LLC (the “Company”) has applied to the Delaware Public Service Commission (the “Commission”) for an Electric Supplier Certificate (“Certificate”) to provide electric supply service within the State of Delaware under certain terms and conditions that the Company has filed with the Commission.

The Electric Utility Restructuring Act of 1999 (26 *Del. C.* Ch.10) requires that every electric supplier seeking to provide electric supply service to Delaware retail customers shall obtain a Certificate from the Commission.

Any person wishing to protest or to comment upon this application must do so in writing by filing such protest or comment with the Commission within twenty (20) days from the date of this publication. In the absence of any comments or protests, the Commission may grant the Certificate without any further action.

The Commission’s mailing address is:

Delaware Public Service Commission
861 Silver Lake Boulevard
Suite 100, Cannon Building
Dover, Delaware 19904

Copies of the application may be inspected at the Commission, at the above address, during normal business hours, or you may review documents by going to DelaFile (<http://depsec.delaware.gov/>), the Commission’s file management system, and by searching for Docket No. 19-0291.

The Company has filed the terms and conditions under which it will offer service in Delaware. Because this is a competitive provision of such services, the Commission will not make a determination that the Company’s proposed rates are reasonable.

The Company will **not** be regulated by the Commission as an electric supplier. **THEREFORE, ALL PROSPECTIVE CUSTOMERS ARE ADVISED TO CAREFULLY REVIEW THE RATES, TERMS, AND CONDITIONS OF THE COMPANY’S SERVICE BEFORE EXECUTING ANY CONTRACT WITH THE COMPANY.**

The Commission’s toll-free telephone number is (800) 282-8574. Persons with questions concerning this application may contact the Commission by either Text Telephone (“TT”) or by regular telephone at (302) 736-7500. If you are disabled and need assistance to be able to participate, please contact the Commission to make arrangements for such assistance.